

Application No. 10/749,405
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REMARKS

Applicant thanks the Examiner for the very thorough consideration given the present application. In view of the following remarks, Applicant believes the pending application is in condition for allowance.

Claims 1-20 are now present in this application. Claims 1, 9, 13, 17 and 20 are independent. Reconsideration of this application is respectfully requested.

Rejection Under 35 U.S.C. § 103

Claims 1-4, 7, 17 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomishima in view of Youn. Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomishima in view of Harold-Barry. Claims 8 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomishima in view of Youn and Kudora et al. Claims 9 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomishima. Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomishima in view of Kudora et al. Claims 13, 15, 16 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Youn in view of Tomishima. Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Youn in view of Tomishima and Kudora et al. These rejections are respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

Independent claim 1 includes a combination of elements and is directed to a method for controlling a play speed in an optical disc device, the method including (a) reading data from an optical disc, (b) determining whether or not the data reading in the step (a) is a sequential reading operation, (c) lowering a data read speed of the optical disc if the data reading has failed, when the step (b) determines that the data reading is a sequential reading operation, and (d) selectively varying a current play speed based on the results of the step (b), when the step (b) determines that the data reading is not a sequential reading operation. Independent claim 17 includes similar features in a varying scope.

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The Examiner correctly acknowledges that Tomishima does not disclose "selectively varying a current play speed based on the results of the step (b), when the step (b) determines that the data reading is not a sequential reading operation." The abstract of Youn discloses varying the speed in reading and reproduction according to a transmission rate or residual amount of stored data. However, Youn does not determine whether such data reading is a sequential reading operation. Further, although Youn teaches varying the reproduction speed of the data read and reproduced from the disk depending on the data transmission speed and the data reproduction speed, varying the reproduction speed in Youn does not depend on whether the data reading is a sequential reading operation or not. Therefore, Youn does not teach step (b) determining whether or not the data reading in the step (a) is a sequential reading operation, and further does not teach (d) selectively varying a current play speed based on the results of the step (b), when the step (b) determines that the data reading is not a sequential reading operation, as recited in independent claims 1 and 17.

Accordingly, it is respectfully submitted independent claims 1 and 17, and each of the claims depending therefrom is allowable.

Regarding independent claim 9, paragraph 14 of the Office Action on page 6 correctly states that Tomishima does not disclose determining whether or not a play speed of the read data equals a predetermined basic speed and lowering a data read speed when the play speed equals the predetermined basic speed. The Office Action further states that these features are well known in the art and would have been obvious to one of ordinary skill in the art to modify Tomishima to specifically include these features of independent claim 9. It is respectfully submitted Tomishima does not teach or suggest lowering a data read speed when the play speed equals the predetermined basic speed and the data reading has failed. In particular, in the present invention, the data read speed is lowered when two conditions are satisfied, where the first condition is the play speed being equal to the predetermined basic speed and the second condition is the data reading having failed. Tomishima only teaches reducing a revolution speed when a defective data is detected, does not teach determining whether or not a play speed of the read data equals a predetermined basic speed. Therefore, Tomishima fails to teach or suggest the features of

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independent claim 9. Further, if the Examiner believes that the features of independent claim 9 are obvious to one of ordinary skill in the art in view of Tomishima, it is respectfully requested that the Examiner provide references that teach or suggest the features of independent claim 9 in view of Tomishima.

Accordingly, it is respectfully submitted independent claim 9 and each of the claims depending therefrom is allowable.

Regarding independent claims 13 and 20, claim 13 recites identifying a transfer rate of data temporarily stored in a buffer, in a sequential play mode for sequentially reading and reproducing data recorded on the optical disc. Youn teaches temporarily storing the data in the buffer that is transmitted to a personal computer and further teaches detecting the transmission speed V_t of the data transmitted to the personal computer (see col. 4, lines 40-46 of Youn). Youn also teaches that in case that the data transmission speed V_t is faster than the data reproduction speed V_r , the reproduction speed of the data read and the reproduced from the optical disk is increased to a high speed (see col. 4, lines 52-59 of Youn). However, Youn does not teach or suggest identifying a transfer rate of data temporarily stored in a buffer, in a sequential play mode for sequentially reading and reproducing data recorded on the optical disc. As shown in Fig. 2 of the present application, S12 shows that identifying the transfer rate of data outputted from the buffer is performed in sequential reading, and if it is not a sequential reading, such identifying step is not performed (see Fig. 2 of the specification). Youn fails to teach or suggest these features of independent claims 13 and 20.

Accordingly, it is respectfully submitted independent claims 9, 13 and 20, and each of the claims depending therefrom is allowable.

Further, it is respectfully submitted the other 35 U.S.C. § 103(a) rejections have also been overcome as the claims rejected therein are dependent claims and the additional applied art also does not teach or suggest the features recited in the independent claims.

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Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

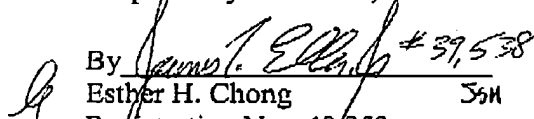
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Jun S. Ha, Registration No. 58,508, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: August 5, 2008

Respectfully submitted,

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